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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

**ARNAUD et al.**

Atty. Ref.: 2350-60

Serial No.: 09/049,927

Group Art Unit: 1612

Filed: March 30, 1998

Examiner: Huang, E.

For: ANHYDROUS COSMETIC OR DERMATOLOGICAL  
COMPOSITION....

June 29, 1999

**REFUND REQUEST**

Assistant Commissioner of Patents

Washington, DC 20231

**Refund Section**

**Suite 307**

**Crystal Park 1**

**Box 17**

1999 JUN -7 AM 9:48  
RECEIPT ACCOUNTING  
DIVISION

Sir:

Refund of the \$870 charged to the undersigned's Deposit Account No. 14-1140 on May 13, 1999 (copy of the undersigned's Monthly Statement dated May 28, 1999, attached) is requested. A responsive Amendment to the Office Action dated November 17, 1998, was filed February 17, 1999, within the statutory response period. No extension fee was required for consideration of this Amendment. A copy of the Amendment of February 17, 1999, was filed

*Adjustment dated May 7, 1999, as a part of a Supplemental Submission along with the undersigned's post card  
05/13/1999 FEE REC'D 00000002 141140  
01 FC:117 870.00 CR 09049927*

receipt as evidence the Amendment was received by the U.S. Patent Office on February 17,

1999. As noted in the Supplemental Submission of May 7, 1999, the Amendment of February 17, 1999, correctly identifies the first inventor, the filing date, the title, the Art Unit, the

Examiner and the Attorney Docket No. for the above-identified application. Each of these documents correctly identifies the first inventor, the filing date, the title, the Art Unit, the Examiner and the Attorney Docket Number. The Amendment of February 17, 1999, incorrectly stated the Serial Number as 09/049,925, rather than the correct 09/049,927. This error was brought to the undersigned's attention by the Patent Office on May 7, 1999, by Ms. Shana Ross of the Patent Office. Ms. Ross identified the error and telephoned the undersigned to determine the correct Serial Number. Ms. Ross' assistance in matching the papers with the correct case in the Patent Office is appreciated and, moreover, is evidence that the Patent Office is capable of matching papers which misidentify the Serial Number by one digit, while correctly identifying the first inventor, the filing date, the title, the Art Unit, the Examiner and the Attorney Docket Number and provide the attorney's telephone number.

The undersigned telephoned the Examiner on May 7, 1999, and was advised the Amendment of February 17, 1999, as well as the additional papers submitted with the Supplemental Submission of May 7, 1999, did not appear to have been entered in the above-identified application, based on a review of the PALM system. Out of an abundance of caution, the undersigned supplied a further copy of these documents with the Supplemental Submission of May 7, 1999. The undersigned was later advised that the original papers were matched with the file in the Patent Office. As the Amendment February 17, 1999, was timely filed, an extension fee of \$870, or any extension fee, should not be required. Refund of the \$870 extension fee charged to the undersigned's Deposit Account is therefore, respectfully requested.

The Patent Office is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By:   
B.J. Sadoff  
Reg. No. 36,663

BJS:rdw  
Attachment

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